

*NO COPY OF THIS TRANSCRIPT MAY BE MADE PRIOR TO AUGUST 10, 2021

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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UNITED STATES OF AMERICA

v.

CHRISTOPHER CANTWELL

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1:20-cr-6-01-PB
September 28, 2020
10:13 a.m.

TRANSCRIPT OF JURY TRIAL DAY 5
BEFORE THE HONORABLE PAUL J. BARBADORO

Appearances:

For the Government:

John S. Davis, AUSA
Anna Z. Krasinski, AUSA
United States Attorney's Office

For the Defendant:

Eric Wolpin, Esq.
Jeffrey S. Levin, Esq.
Federal Defender's Office

Court Reporter:

Liza W. Dubois, RMR, CRR
Official Court Reporter

1 P R O C E E D I N G S

2 THE CLERK: The Court understands that the jury has
3 reached a verdict in this case. Would you please hand the
4 verdict form to the court security officer.

5 Will the defendant please stand.

6 In the matter of the United States of America vs.
7 Christopher Cantwell, criminal case number 20-cr-6-1-PB, as to
8 Count One of the superseding indictment charging the defendant
9 with extortionate interstate communications in violation of
10 18 U.S.C. 875(b), we, the jury, find the defendant, Christopher
11 Cantwell, guilty.

12 As to Count Two of the superseding indictment
13 charging the defendant with threatening to injure property or
14 reputation in violation of 18 U.S.C. 875(d), we, the jury, find
15 the defendant, Christopher Cantwell, guilty.

16 As to Count Three of the superseding indictment
17 charging the defendant with cyberstalking in violation of
18 18 U.S.C. 2261(a)(2), we, the jury, find the defendant,
19 Christopher Cantwell, not guilty.

20 Dated September 28th, 2020, signed by the
21 foreperson.

22 THE COURT: All right. Do you wish to have the jury
23 polled?

24 MR. WOLPIN: Yes, your Honor.

25 THE COURT: I would propose to poll them by asking

1 each juror was your verdict guilty on Counts One and Two and
2 not guilty on Count Three. Is that an acceptable way to do the
3 poll?

4 MR. WOLPIN: Yes, your Honor.

5 THE COURT: Okay.

6 So, members of the jury, I'm going to ask you
7 individually to tell me whether, in fact, that was your
8 verdict. And, I apologize, I'll just point and I'll go down
9 the front row, then I'll go the -- I'll go the second row and
10 then I'll go the third row all the way to the end. Okay?

11 So, ma'am, was your verdict guilty on Counts One and
12 Two and not guilty on Count Three?

13 THE JUROR: Yes.

14 THE COURT: Was your verdict guilty on Counts One
15 and Two and not guilty on Count Three?

16 THE JUROR: Yes.

17 THE COURT: Was your verdict guilty on Counts One
18 and Two and not guilty on Count Three?

19 THE JUROR: Yes.

20 THE COURT: Was your verdict guilty on Counts One
21 and Two and not guilty on Count Three?

22 THE JUROR: Yes.

23 THE COURT: Was your verdict guilty on Count One and
24 Two and not guilty on Count Three?

25 THE JUROR: Yes.

1 THE COURT: Was your verdict guilty on Count One and
2 Two and not guilty on Count Three?

3 THE JUROR: Yes.

4 THE COURT: Was your verdict guilty on Counts One
5 and Two and not guilty on Count Three?

6 THE JUROR: Yes.

7 THE COURT: Was your verdict guilty on Counts One
8 and Two and not guilty on Count Three?

9 THE JUROR: Yes.

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11 and Two and not guilty on Count Three?

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14 and Two and not guilty on Count Three?

15 THE JUROR: Yes.

16 THE COURT: Was your verdict guilty on Counts One
17 and Two and not guilty on Count Three?

18 THE JUROR: Yes.

19 THE COURT: Was your verdict guilty on Counts One
20 and Two and not guilty on Count Three?

21 THE JUROR: Yes, your Honor.

22 THE COURT: All right. Thank you.

23 Does -- before I discharge the jury, does counsel
24 need to me to do anything else? Do you need to see me or
25 anything else before I discharge the jury?

1 MR. WOLPIN: No, your Honor.

2 THE COURT: All right. So on behalf of everyone
3 here, I want to thank you, members of the jury. It's always a
4 sacrifice to serve. It's particularly unpleasant when you have
5 to come into a building like this and wear a mask for eight or
6 ten hours a day and I really do appreciate the sacrifice that
7 you've made and want to thank you on behalf of everyone because
8 our constitutional right to trial by jury depends upon people
9 like you who are willing to come into court as ordinary
10 citizens, devote your time and attention to trying to -- to
11 give Mr. Cantwell, and every defendant in criminal cases, a
12 fair trial and I really do want to thank you for your service
13 here.

14 You're now discharged from your oath and obligation.
15 You're free to conduct any investigation that you want, say or
16 do anything that you want to do, with respect to the case.

17 I have a couple of things I have to do with counsel
18 here. If I could ask you if you could just wait for me in the
19 jury deliberation room, I do want to thank you in person
20 individually. And so if you could just wait for me for a
21 minute and I'll be in to talk to you. And, again, thank you
22 for your service and you are excused.

23 (Jury excused.)

24 THE COURT: Do we have a sentencing date?

25 THE CLERK: January 4th.

1 THE COURT: January 4th at --

2 THE CLERK: 10:30.

3 THE COURT: -- 10:30 will be sentencing in this
4 case.

5 The defendant is currently in custody. I see no
6 reason to change his custody status. Is there anything else
7 that we need to cover today?

8 MR. WOLPIN: No, your Honor.

9 THE COURT: All right. Thank you.

10 And I really do want to just take a moment and
11 commend counsel for both sides here. We really -- in addition
12 to depending on jurors, we depend upon lawyers to bring their
13 skills to court. And this was a very well tried case by both
14 the prosecutors and the defendant, defendants -- defendant,
15 excuse me, and I just want to thank you for a very well tried
16 case. All right?

17 So we're done for the day.

18 (Proceedings concluded at 10:22 p.m.)
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C E R T I F I C A T E

I, Liza W. Dubois, do hereby certify that
the foregoing transcript is a true and accurate transcription
of the within proceedings, to the best of my knowledge, skill,
ability and belief.

Submitted: 5/12/21

/s/ Liza W. Dubois
LIZA W. DUBOIS, RMR, CRR